

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

**COMBINE LODGING, LLC d/b/a  
QUALITY INN**  
*Plaintiff,*

**v.**

**PALOMAR SPECIALTY INSURANCE  
COMPANY**

*Defendant.*

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**CIVIL ACTION NO. 1:21-CV-00359-MJT**

**JOINT STIPULATION OF NON-SUIT WITHOUT PREJUDICE**

Plaintiff, Combine Lodging, LLC d/b/a Quality Inn, and Defendant, Palomar Specialty Insurance Company, file this Stipulation of Non-suit WITHOUT Prejudice under Federal Rule of Procedure 41(a)(1)(A)(ii).

1. Plaintiff is Combine Lodging, LLC d/b/a Quality Inn. Defendant is Palomar Specialty Insurance Company.
2. On June 10, 2021, Plaintiff filed its Original Petition in the 176<sup>th</sup> District Court of Jefferson County, Texas. On July 1, 2021, after Defendant filed an answer to the lawsuit in state court, and on July 14, 2021, Defendant removed the case to the United States District Court for the Eastern District of Texas, Beaumont Division.
3. Defendant, who has served an answer to the lawsuit, agrees to the dismissal without prejudice.
4. This case is not a class action under Federal Rule of Civil Procedure 23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2.
5. A receiver has not been appointed in this case.

6. This case is not governed by any federal statute that requires a court order for dismissal of the case.
7. Plaintiff has not previously dismissed any federal or state court suit based on or including the same claims as those presented in this case.
8. This dismissal is without prejudice.

Respectfully Submitted,

**THE HODGE LAW FIRM, PLLC**

By: /s/ Shaun W. Hodge

Shaun W. Hodge  
Texas State Bar No. 24052995  
1301 Market St  
Galveston, Texas 77550  
Telephone: (409) 762-5000  
Facsimile: (409) 763-2300  
shodge@hodgefirm.com

**ATTORNEY FOR PLAINTIFF**

By: /s/ George Arnold (with permission)

**George Arnold**  
State Bar No. 00783559  
[garnold@thompsoncoe.com](mailto:garnold@thompsoncoe.com)

**Susan Sparks Usery**  
State Bar No. 18880100  
[susery@thompsoncoe.com](mailto:susery@thompsoncoe.com)  
Thompson, Coe, Cousins & Irons, LLP  
One Riverway, Suite 1400  
Houston, Texas 77056  
Telephone: (713) 403-8210  
Facsimile: (713) 403-8299

**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

This is to certify that on the 28th day of June, 2022, a true and correct copy of the foregoing document was delivered to all counsel of record in accordance with the Federal Rules of Civil Procedure as follows:

**George Arnold**

State Bar No. 00783559

[garnold@thompsoncoe.com](mailto:garnold@thompsoncoe.com)

**Susan Sparks Usery**

State Bar No. 18880100

[susery@thompsoncoe.com](mailto:susery@thompsoncoe.com)

Thompson, Coe, Cousins & Irons, LLP

One Riverway, Suite 1400

Houston, Texas 77056

Telephone: (713) 403-8210

Facsimile: (713) 403-8299

**Attorneys for Defendant**

**PALOMAR SPECIALTY INS. CO.**

*/s/Shaun W. Hodge*